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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

Kenny Williams

Civil Action No. 6:04-CV-2550

versus

Judge Tucker L. Melançon

Warden, Louisiana State Penitentiary

Magistrate Judge C. Michael Hill

CERTIFICATE AS TO APPEALABILITY

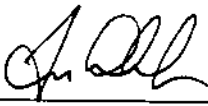
A notice of appeal having been filed on July 27, 2005 [Rec. Doc. 9] in the above captioned case subsequent to the Court's April 12, 2005 Judgment [Rec. Doc. 5] denying petitioner's §2254 motion and the Court's July 13, 2005 Order [Rec. Doc. 8] denying petitioner's request for reconsideration of the Court's judgment,

Having considering the record in this case and the requirements of Federal Rule of Appellate Procedure 22(b), the Court hereby finds that a certificate of appealability should not issue for the following reasons:

Adopting the analysis contained in the Report and Recommendation of the Magistrate Judge issued herein on March 22, 2005 [Rec. Doc. 4], the Court finds that there is no basis in law or fact entitling petitioner to the relief he seeks.

Thus done and signed this 3rd day of August, 2005 at Lafayette, Louisiana.

COPY SENT
DATE 8/4/05
BY DP
TO tlm


Tucker L. Melançon
United States District Judge